

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: VOLKSWAGEN “CLEAN DIESEL”
MARKETING, SALES PRACTICES, AND
PRODUCTS LIABILITY LITIGATION

MDL No. 2672 CRB (JSC)

**ORDER DENYING ADMINISTRATIVE
MOTIONS TO SEAL**

This Order Relates To:
Dkt. Nos. 3789, 3790, 3791, 3792, 3795,
3796, 3798, 3801

Plaintiffs in eight cases with pending remand motions have moved to file under seal certain documents attached to those motions and to seal descriptions of, or quotes from, those documents in the motions. The basis for the request is that the documents at issue were designated as confidential by Volkswagen pursuant to a protective order.

Documents that are designated as confidential pursuant to a protective order are not always sealable. Thus, when a party “is seeking to file under seal a document designated as confidential by the opposing party . . . pursuant to a protective order,” the designating party, within four days of the motion to seal, “must file a declaration . . . establishing that all of the designated material is sealable.” Civil L.R. 79–5(e)(1). From the record, it does not appear that Volkswagen, as the designating party, filed such a declaration here; and the absence of such a declaration leaves the Court without the means to determine whether the requested sealing would be appropriate. The Court therefore DENIES the motions to seal. Plaintiffs may file unredacted versions of the documents sought to be sealed “no earlier than 4 days, and no later than 10 days,” after the date of this order. Civil L.R. 79–5(e)(2).

IT IS SO ORDERED.

Dated: February 1, 2019



CHARLES R. BREYER
United States District Judge